

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**EIGHT MILE STYLE, LLC and
MARTIN AFFILIATED, LLC,**

Plaintiffs,

v.

**SPOTIFY USA INC. and
HARRY FOX AGENCY, LLC,**

Defendants.

SPOTIFY USA INC.,

Third-Party Plaintiff,

v.

**KOBALT MUSIC PUBLISHING
AMERICA, INC.,**

Third-Party Defendant

**Case No. 3:19-cv-0736
Judge Aleta A. Trauger**

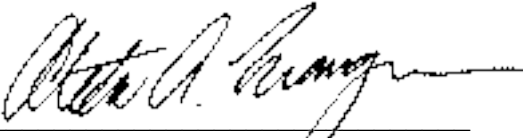
ORDER

For reasons explained in the accompanying Memorandum, The Harry Fox Agency's Motion for Summary Judgment (Doc. No. 317) is **GRANTED**, Spotify USA Inc.'s Motion for Summary Judgment (Doc. No. 320) is **GRANTED** in part and **DENIED** in part, Kobalt Music Publishing America, Inc.'s Motion for Summary Judgment (Doc. No. 328) is **GRANTED** in part and **DENIED** in part, and the plaintiffs' Motion for Summary Judgment (Doc. No. 348) is **DENIED**. Summary judgment is hereby **GRANTED** to Spotify and HFA with regard to the plaintiffs' claims, to Spotify with regard to its claims against Kobalt for breach of contract based on the 2016 blanket license, indemnification, and anticipatory repudiation, and to Kobalt with

regard to Spotify's claims for breach of contract based on the NMPA settlement and Spotify's claims for intentional or negligent misrepresentation.

Pursuant to the indemnification provision, Spotify is hereby **ORDERED** to file a motion for attorney's fees and expenses within 10 days of the entry of this Order, and Kobalt is **ORDERED** to file a response within 10 days of Spotify's motion. Spotify is granted leave to file a reply within 5 days of the response.

It is so **ORDERED**.



ALETA A. TRAUGER
United States District Judge